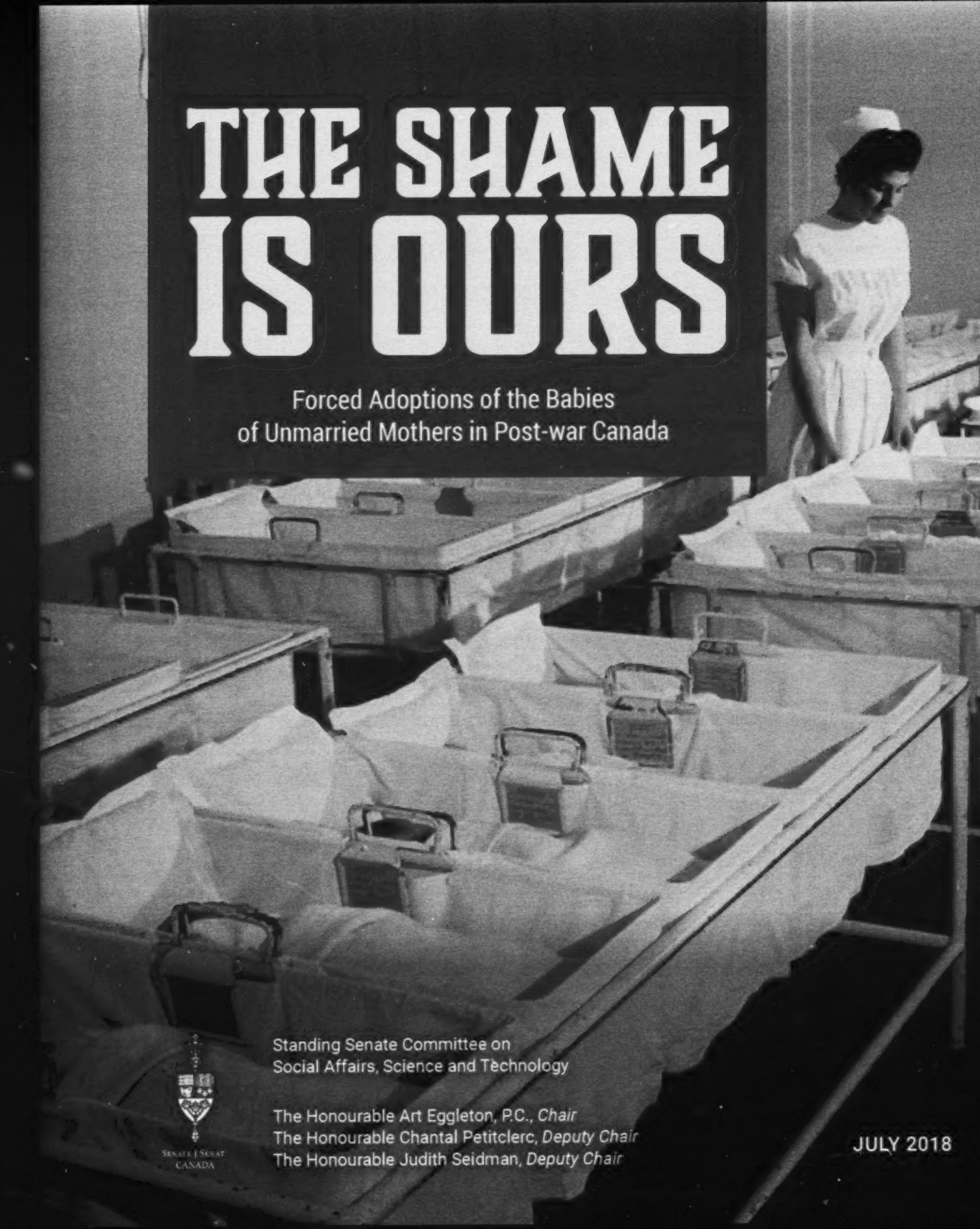

THE SHAME IS OURS

Forced Adoptions of the Babies of Unmarried Mothers in Post-war Canada

Standing Senate Committee on
Social Affairs, Science and Technology

The Honourable Art Eggleton, P.C., *Chair*
The Honourable Chantal Petitclerc, *Deputy Chair*
The Honourable Judith Seidman, *Deputy Chair*

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JULY 2018

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ORDER
OF REFERENCE

Extract from the Journals of the Senate of Thursday, December 14, 2017:

The Honourable Senator Eggleton, P.C., moved:

That the Standing Senate Committee on Social Affairs, Science and Technology, in accordance with rule 12-7(9), be authorized to examine and report on such issues as may arise from time to time relating to social affairs, science and technology generally, including:

(a) cultural affairs and the arts, social and labour matters, health and welfare, pensions, housing, fitness and amateur sport, employment and immigration, consumer affairs, and youth affairs;

(b) elements related to its mandate or to previous reports of the committee that are found in the ministerial mandates of the Minister of Canadian Heritage, the Minister of Employment, Workforce Development and Labour, the Minister of Families, Children and Social Development, the Minister of Health, the Minister of Immigration, Refugees and Citizenship, the Minister of Infrastructure and Communities, the Minister of Innovation, Science and Economic Development, the Minister of Science, and the Minister of Sports and Persons with Disabilities; and

That the committee report to the Senate no later than December 30, 2018.

The question being put on the motion, it was adopted.

Clerk of the Senate
Nicole Proulx

MEMBERS
OF THE COMMITTEE

The Honourable Senators who participated in this study:

Art Eggleton, P.C., *Chair*
Chantal Petitclerc, *Deputy Chair*
Judith G. Seidman, *Deputy Chair*
Wanda Thomas Bernard
Tony Dean
Fabian Manning
Marie-Françoise Mégie
Jim Munson
Ratna Omidvar
Rose-May Poirier

Ex Officio Members:
The Honourable Senators:
Peter Harder, P.C.
(or Diane Bellemare, or Grant Mitchell)
Yuen Pau Woo (or Raymonde Saint-Germain)
Larry Smith (or Yonah Martin)
Joseph Day (or Terry Mercer)

Other senators who have participated from time to time in the study:
The Honourable Senators Marty Deacon (Ontario), Michael Duffy, Nancy Greene Raine *(now retired)*

Parliamentary Information and Research Service, Library of Parliament:

Sonya Norris, Analyst

Senate Committees Directorate:
Shaila Anwar, Clerk of the Committee
Tracy Amendola, Administrative Assistant

INTRODUCTION

On December 14, 2017, the Senate adopted an order of reference authorizing the Standing Senate Committee on Social Affairs, Science and Technology ("the committee") to "examine and report on such issues as may arise from time to time relating to social affairs, science and technology generally." Under this general order of reference, the committee held three meetings on 20, 21 and 22 March 2018 to examine the issue of the common practice, in the decades immediately following World War II of forcing Canadian "unwed mothers" to surrender their babies to adoption, that was carried out. Over the course of those meetings, the committee heard from witnesses who provided testimony on the historical context of this practice from the perspective of unmarried mothers, adoptees, child welfare agencies, family reunification organizations, historians on the issue and religious organizations. In addition, committee members heard about the comparable Australian experience and the actions taken in that jurisdiction in response to it.

BACKGROUND

THE SOCIAL CONTEXT

In Canada, as in other allied countries including Australia, New Zealand, the United Kingdom and the United States, the post-war era produced unique conditions related to social ideologies about the traditional nuclear family, scorn for women who became pregnant outside marriage and the "illegitimacy" of their children. Those societal pressures may have been at least in part responsible for creating an environment in which forced adoption practices were often applied to unmarried mothers in Canada whose babies would go to "traditional" couples looking to establish and grow their nuclear families.

THE SECRECY

The committee heard from several witnesses that the decades during which forced adoptions occurred between 1945 and the early 1970s remain shrouded in secrecy. The institutions responsible for carrying them out have either disappeared over the years, such as government departments whose names and mandates have changed multiple times in the interim, or are reluctant to admit their participation, such as many of the religious denominations that operated maternity homes for unwed mothers. The emotional and heart-breaking accounts provided by mothers and adoptees, however, painted a detailed picture of this shameful period in Canada's history, when human rights may have been violated and, if no laws were broken, certainly the forced adoption policy for unmarried mothers was unethical.[1]

To date there has not been an official acknowledgement by any level of government in Canada of the pressures that were put on unmarried pregnant women to surrender their babies for adoption in the decades after World War II.

1 The committee acknowledges the practices, sometimes referred to as the "Sixties Scoop," conducted between the 1950s and the 1980s in which Indigenous children were removed from their homes and placed in foster care or given up for adoption to non-Indigenous families. It notes the recent settlement of the resultant litigation in this matter signed in November 2017. As such, the committee has not included the Sixties Scoop within this study.

THE FEDERAL INVOLVEMENT

In Canada, adoption policies and practices are the responsibility of the provinces and territories. However, under the federal spending power the government has implemented, over the course of several decades, a variety of social assistance grants and programs, some of which address the needs of children, pregnant women and mothers. Beginning in the mid-1960's, the federal government committed to an annual investment of $25 million to permanently establish the Canada Assistance Plan (CAP), intended to help provincial social assistance programs.[2] With respect to the forced adoption issue, the committee was told that federal funds, through CAP to the provinces and municipalities, specifically contributed to the maintenance of **maternity homes for unmarried mothers**, the provision of adoption and counselling services, and supporting the casework of social workers. As well, the federal government has a limited role to play when an adoption crosses national borders because of its authority over immigration and citizenship matters.

2 In 1995, the CAP was combined with the federal health and post-secondary education transfer of the day, the Established Programs Funding, to become the Canada Health and Social Transfer (CHST). The CHST was subsequently divided into the Canada Health Transfer and the Canada Social Transfer in 2003.

A DISTURBING CHAPTER
IN CANADA'S HISTORY

The committee heard testimony from individuals directly affected by the adoption practices, agencies that provide support to persons who continue to suffer because of them, organizations involved in carrying out the adoptions and experts who have researched Canadian adoption history. The committee also heard from Australian witnesses who described the actions taken in that jurisdiction to address the forced adoptions that occurred there during the same timeframe as in Canada. Together, members obtained a good sense of what happened during those post-war years, and within the context of the era, perhaps even how it happened while also agreeing that it never should have happened.

UNMARRIED MOTHERS – A LIFETIME OF SUFFERING

Emotions were still raw and the trauma was still evident when mothers[3] bravely told their stories of heartbreak, humiliation, shame and longing; stories that date back to up to 55 years. Committee members heard the tragic accounts of women who, at the most vulnerable points in their young lives, were abandoned by family, banished from society, and mistreated during pregnancy and labour. The women were then dispatched without regard and with the sole instruction to never say a word about the babies they had just surrendered for adoption.

> “I was told that I would eventually get married and forget about my baby. How does a mother forget her baby?
>
> *Eugenia Powell, mother, Origins Canada*

3 In the context of this study, the term "mothers" means those unmarried mothers who were forced to surrender their babies to adoption.

During the committee's hearings, members heard from four mothers, but many more women provided their experiences in writing. Their personal horrors were all tragically similar. The committee heard about young, scared women being sent away either by family, their churches or social workers, to maternity homes for unwed mothers. Instead of being received in a supportive environment, these pregnant women were subjected to verbal and emotional abuse, forced to use fictitious surnames and not permitted any contact with the outside world, including families and the babies' fathers. During their stay, residents were not provided any formal education or training, instead being prepared only for a life of domesticity.

Mothers spoke of incarceration, rather than residence. Schedules were strictly regimented and the women were treated harshly. Members were told that nurses, priests, social workers, and other authority figures would reprimand the young women, telling them that they deserved punishment for their sins. Punishment was delivered in various forms: humiliation, verbal abuse and de-humanizing and degrading treatment. In some instances there was physical and sexual abuse.

Towards the end of their pregnancies, the mothers described being sent to hospital for labour and delivery. In this new setting, they were still mistreated, being separated from the married women and left alone for most of the time. Mothers described inhumane care during labour and delivery: overmedication, no medication, and some even physically restrained. Members also heard that these women got very little, or no, follow up care. The mothers who told their stories to the committee reported that they were allowed little or no contact with their babies. One mother described being denied even a glimpse of her infant in the nursery as they had placed the child in the furthest corner from the viewing window and facing the wall. The mothers' pain and humiliation continued as they were forced to have their breasts tightly bound as a means of inhibiting lactation.

Social workers provided the young women with little or no information about their choices once their babies arrived. Despite the creation of CAP in 1966 to provide cost-sharing to provinces for social assistance programs meant to support needy mothers, social workers did not inform young women of such programs, according to mothers who testified. Instead, they described being coerced into accepting what was described as "best for the child" options, meaning relinquishing parental rights and surrendering their babies for adoption. Social workers provided legal forms to these women to sign, often with no legal representation.

Once the consent forms were signed, the mothers were usually not given copies and were not informed of their right to revoke their consent. Members heard that some mothers were told, incorrectly, that they would be allowed to get information about their children once they were 18 years old only to find out years later that the files were sealed.

The final spiteful act to which these women were subjected once consent was obtained to relinquish their parental rights was to be told to just forget about their babies, to never speak of them again. Adding insult to the injuries already suffered, mothers were callously told to "get a puppy" or "be a good girl". The secrecy and shame did not end there, however. Mothers spoke of an emptiness they have carried around for decades.

They explained that even if they appeared outwardly to have moved on with their lives with spouses, children and careers, they have also experienced depression, pathological grief, post-traumatic stress disorder, anxiety and suicidal thoughts or behaviour, that have been a part of their lives ever since losing their babies to adoption.

The treatment of unmarried mothers in post-war Canada may have been a product of the times, but it was cruel, nonetheless, from any perspective.

> “The social worker stood in front of me. Coldly, she said, "You will never see your baby again as long as you live. If you search for the baby, you'll destroy his life and the lives of the adoptive parents".
>
> *Sandra Jarvie, mother, Origins Canada*

ADOPTEES – A LIFETIME OF WONDERING AND SEARCHING

> I thought about her all the time, this mother whose absence was ever present in my life.
>
> *Wendy Rowney, adoptee and President, Adoption, Support and Kinship*

The committee heard the testimony of two adoptees and received written testimony from several other Canadians whose unmarried mothers had surrendered them for adoption. As might be expected, some adoptees expressed love and thanks to their adoptive families and acknowledged healthy upbringings, while others described much less desirable family lives with adoptive parents who were unfit or unable to care for them properly. Regardless, members learned that common among them was an emptiness, a hole in their lives, that they were incapable of filling. This emptiness, which could also be felt by some adoptees who were not even yet aware that they had been adopted, related to an inability to relate to family members or a feeling of detachment from them, to a loss of identity because of not knowing their ethnic origins, and to their lack of knowing their family medical history.

These adopted "children", now grown with children and grandchildren of their own, talked about not knowing who they are, where they come from or where they belong. In their separate searches to answer these questions, committee members were told about the mothers' frustration with the lack of available information. As a result, adoptees had to apply detective skills in order to find information about their origins, all too often without success. Members were told that during the post-war years, many adoptions would have been "closed" meaning that no information about the natural parents was available to the adopted child and the information about the child and its adoptive family was not available to the natural parents.

Since that time, many provinces have taken steps to open these files. However, adoptees told the committee that many obstacles still remain. First, the legislation governing adoption practices varies among provinces, and many adoptees noted that there should be consistency across the country, despite the provincial jurisdiction in this area. It was also noted that individuals searching for biological families can face additional obstacles if their adoption occurred in a different province than the one in which they were born. Finally, members were surprised to learn that, despite the trend in Canada of opening up provincial adoption records, none are fully open, but rather only semi-open such that either the birth parent or child can place a veto on information disclosure to the other.

Some adoptees said that the disclosure veto is inconsistent with the concept of what is "in the best interest of the child." Others questioned why the mother's right to privacy is given priority over the child's right to know its identity. It was also suggested that the practice of withholding identifying information from adoptees contravenes not only the Universal Declaration of Human Rights (1948)[4] but also the Canadian Charter of Rights and Freedoms.[5] Some adoptees relayed instances of being provided with limited information about natural parents that was found to be, or believed by the adoptees to be, fraudulent. They questioned why rights of equality were not extended to them and why their plight had not been acknowledged as it has been for other vulnerable groups.

The pain and sadness described by those who were surrendered for adoption by their mothers is all the more tragic considering that forced adoptions were supposed to have been done in the best interest of the children.

> "The underlying principle is this: an adopted person comes from nothing, and so nothing should be done to help them. Coming from nothing to spend a lifetime grappling with mysteries and lies is what full adoption is all about.
>
> *Diane Poitras, adoptee, member, Mouvement Retrouvailles*

4 United Nations, *Universal Declaration of Human Rights*, 1948.

5 Department of Justice, *Constitution Act (1982) – Part 1: Canadian Charter of Rights and Freedoms.*

RESEARCHERS OF THE HISTORY OF ADOPTION IN CANADA – CONFIRMATION OF A WIDESPREAD PRACTICE

> In addition to the psychologically coercive environment, women confined to these homes report being subjected to sexual, verbal and emotional abuse.
>
> *Valerie Andrews, mother and Executive Director, Origins Canada*

There is no official data of how many unmarried women were coerced into relinquishing their babies for adoption. However, historical data from Statistics Canada reveals that between 1945 and 1971, almost 600,000 infants were born to unmarried women and were recorded as "illegitimate births."[6] Although the average rate across Canada at which unmarried mothers relinquished their babies for adoption is not officially recorded for this time period, members were told as many as 95% of residents within the maternity homes surrendered their babies while as many as 74% of unmarried mothers outside of those facilities gave their babies up for adoption. Today, that rate is about 2%. As such, it would appear that hundreds of thousands of Canadian infants were put up for adoption by vulnerable, misinformed and mistreated mothers in the post-war years.

The committee heard from witnesses who have an in-depth knowledge of historical Canadian adoption practices and they affirmed the accounts that members heard from mothers and adoptees. Young, unmarried mothers who found themselves without financial means or the support of family found their way to church-run maternity homes for unwed mothers, after seeking help from family, friends or their churches. Catholic, United, Anglican[7] and Presbyterian churches as well as the Salvation Army, operated such homes. Members were told that in some instances a fee was requested from the young woman or her family to be cared for at the home. In all cases, it appears that the facilities implemented strict schedules for the residents. The women were required to perform assigned chores, attend "classes" that prepared them for domestic tasks, rather than help to further their education,

6 Historical Statistics of Canada, "*Section B: Vital Statistics and Health, Series B1-14. Live births, crude birth rate, age-specific fertility rates, gross reproduction rate and percentage of births in hospital, Canada, 1921 to 1974*," R.D. Fraser, Queen's University, p.9, 1999.

7 Over 70% of Canadians identified as Catholic, United or Anglican in the censuses of 1941 through 1971. Statistics Canada, Historical Statistics of Canada, "*Section A: Population and Migration, Series A164-184. Principal denominations of the population, census dates, 1871 to 1971*," K.G. Basavarajappa and Bali Ram, Statistics Canada, p. 18, 1999.

and participate in religious services. However, the strict schedules were not intended as a structured and regimented environment. Rather, the young women were described as being treated more like prisoners. Some homes had bars on the windows and the movement of residents was strictly controlled. They were often not allowed to use their surnames, only first names, and were not permitted to speak to each other about their own circumstances. Committee members were told that these young women were often subjected to shaming and abuse by the nurses, sisters, social workers, matrons and church leaders. They were told they had no value, they were societal outcasts, they had sinned and deserved the treatment they were getting, and that, in fact, they must be psychologically unwell and unfit since they got pregnant in the first place.

This mistreatment of pregnant women was intended to break them in order to obtain their consent to relinquish the babies, although they were told that it was intended to keep them from sinning again. In addition to the verbal and emotional mistreatment, though, misinformation and deception were also used. These young women, who would have had no reason or experience to know their rights, ask questions or be skeptical of the information they were provided, were further taken advantage of by the authority figures they should have been able to trust. They were not informed of any options that would help them to take care of their babies. Instead, they were told it would be selfish of them to keep their babies and that another family could better care for them. They were sometimes tricked into providing consent for adoption and sometimes they signed the consent during or soon after childbirth. Never were they informed of their rights to rescind that consent.

The committee was told of the "mother imperative" of the post-war years in which societal and church pressures were placed on couples to have children. Witnesses indicated that there was a large demand for babies during those years, specifically white babies.[8] Unmarried mothers were told that their children would grow up stigmatized in the homes of single mothers, but that traditional, white, middle-class couples would provide loving homes without the shame. It would be selfish to deny children the chance to have "real" families. In fact, while young, unmarried white women and girls were chastised for being pregnant, young unmarried mothers of colour would seldom, if ever, be sent away to these facilities. It was explained that babies of colour were considered to be "unadoptable". As such, mothers of colour would not be sent to such homes and coerced into relinquishing their infants. As well, the committee was told, an unmarried mother of colour was more likely to be supported by her family, church and community, as a consequence of being part of a very small, non-white fraction of the Canadian population. African-Canadians comprised only about 1% of the population in 1951.[9]

8 About 97% of Canadians identified as British or Other European in the censuses of 1941 to 1971. Historical Statistics of Canada, "Section A: Population and Migration, Series A126-163. Origins of the population, 1871 to 1971," K.G. Basavarajappa and Bali Ram, Statistics Canada, p. 17, 1999.

9 Ibid.

Labour and delivery were generally carried out at local hospitals where a "clean-break" protocol was implemented, which meant that mothers were not allowed to see their children. Some mothers were not told whether they had given birth to a boy or a girl and others were cruelly lied to and told that their babies had died.

Witnesses described the practices used to seek consent for adoption from single mothers as coercive, coordinated and deceptive. Members were told that social workers would have been aware, in most cases, of the unethical pressure put on these pregnant women and the long-term trauma they were likely to suffer because of it. The committee heard that, because of the high demand for adopted babies during the post-war years, social workers were required to meet quotas in regard to the number of babies surrendered to the adoption system.

The fathers of these babies were also mistreated during this time period. Members heard that young men who were aware of the pregnancies and wanted to be a part of the mothers' and children's lives were not permitted to visit the women in the maternity homes. In some instances, those men who persisted were told it was none of their concern and sent away, leaving the men feeling helpless and unable to support their partners. As well, mothers who asked about their babies' fathers and indicated that they wanted to see them were not permitted to do so and often told to forget about them. Finally, the names of those fathers were often not included on birth certificates. Members were told that in Ontario, if a father's name was included on a birth certificate, it was expunged when adoption papers were signed and filed. Discussions and documentation internal to the maternity home, in some cases, referred only to the "putative father" when a young mother listed the biological father's name. The committee was not made aware of any experiences in which a young couple was encouraged to stay together and raise their child.

Once babies were taken, young mothers were simply told to never speak of their ordeals to anyone. As such, it is not surprising that no counselling was offered and no advice was given to suggest that they might need it. However, members were told that 82% of the women who were subjected to mistreatment in the homes for unwed mothers in the post-war era have suffered from major depression during their lifetimes, and that 21% had attempted suicide at least once. Other conditions that are common among these women include anxiety disorders, pathological grief, post-traumatic stress disorder, and other mental health issues preventing them from trusting others and developing healthy relationships.

> "The assumption was that there were better options, options that involved greater amounts of support, income and housing than would be available to unwed mothers.
>
> *Veronica Strong-Boag, Historian*

Finally, the committee was told that almost one third of these women never had any more children. The experiences they had gone through at the hands of authority figures in the maternity homes and hospitals left an estimated 30% of the mothers too traumatized or feeling too ashamed and unworthy to go through pregnancy again.

REUNIFICATION AGENCIES –IN NEED OF ADDITIONAL SUPPORTS

> The reunion is a brief, one-time event.
>
> Reconnection is a very complicated procedure of counselling, support, advice and just plain time.
>
> *Monica Byrne, mother and President, Parent Finders*

Those witnesses who provided the committee with the perspectives of mothers and adoptees also represented organizations that facilitate reunions between adoptees and their natural parents. With respect to the reunification of mothers (and fathers) with adoptees, the committee heard more about the issues mentioned above such as the need of adoptees to find their identities, know their ancestries and medical histories, and the need of mothers to know the fates of the children they were forced to give up and to let their children know that they were wanted and loved.

Witnesses underscored the challenges of inconsistent legislation among provinces related to adoption records and that even jurisdictions with open adoption records still allow either a parent or an adoptee to veto the disclosure of information. They explained further that once a veto is placed on the file, there is never an attempt to actively update the file to determine whether the person may want to remove the veto. In the event that the individual who placed the veto passes away, the veto remains in place for a period of time, or may never be lifted, depending on the jurisdiction. Finally, the committee learned that in some circumstances, extended family members, in their search for unknown siblings and cousins, are often unable to access records of mothers who passed away long ago.

Some witnesses suggested that fully opening up adoption records would have no downside, because even if an adoptee or mother were to be rejected by the other, they may still be able to get accurate information and could also pursue additional biological family members, and learn their ancestry and medical history. Calls for uniform laws across Canada allowing fully open access to adoption records were unanimous among the witnesses who stated a position on the matter.

The committee heard that there is an urgent need for appropriate counselling services. Often, mothers are unable to find the help they need in order to cope as they struggle with their life-long mental health challenges brought on by the neglect and harm they experienced in the maternity homes for unwed mothers and the trauma of involuntarily losing children to adoption. Members were told that these unique circumstances require specialized training on the part of counsellors and psychologists. One type of therapy that was named as being very helpful to these mothers, although very expensive, is called Eye Movement Desensitization and Reprocessing. However, committee members were not told anything further about this or any other types of therapy.

Adoptees, too, search for therapy in order to process a variety of issues that may arise from adoption such as abandonment and attachment issues as well as loss of identity. Reunification efforts, whether successful or not, can also bring on the need for counselling and support.

The committee was told that there are very few properly trained specialists available for referral of these individuals and that, in any case, most clients are not able to afford the sessions, which would be required over a long period of time.

> “Truth and identity should be universal rights that are respected and given precedence. The secret cannot be kept forever.
>
> *Caroline Fortin, President, Mouvement Retrouvailles*

THE AUSTRALIAN EXPERIENCE

> The national apology is an important acknowledgment of a collective responsibility.
>
> *Daryl Higgins, Director, Institute of Child Protection Studies, Australian Catholic University*

The committee heard from two Australian witnesses who provided testimony about Australia's response to a similar era of forced adoptions carried out in that country during the post-war years. In November 2010, the Australian Senate referred an inquiry to the Community Affairs References Committee ("References Committee") on this issue.[10] That committee held an inquiry that included several public hearings between April and December 2011 and 418 submissions, primarily from affected individuals.

The report, tabled in the Australian Senate on 29 February 2012, contained 20 recommendations, including a call for a national framework to address the consequences of the forced adoption policy[11] and for a formal apology from the Commonwealth Government, state and territory governments and institutions that carried out the policy.[12] The report further recommended that all apologies "should satisfy the five criteria for formal apologies set out by the Canadian Law Commission."[13] The government's response, tabled on 21 March 2013, stated that it agreed or agreed in principle with most of the

10 Parliament of Australia, *Terms of Reference – Commonwealth Contribution to Former Forced Adoption Policies and Practices*.

11 Australia, the Senate, "*Commonwealth Contribution to Former Forced Adoption Policies and Practices*," Chapter 8, recommendation 1, Commonwealth of Australia, 29 February 2012, page 191.

12 Ibid., Chapter 9, recommendation 2 and 3, p. 209.

13 Ibid., Chapter 9, recommendation 4, p. 210.

References Committee recommendations.[14] A formal apology was delivered that same day in Parliament House in Canberra and was accompanied by the offer of a range of counselling and support services.[15]

The committee heard that the Australian government had signaled its intention as early as 2012 to issue an apology for the forced adoption policy and in August of that year had established a reference group to provide advice on the wording, timing and delivery of the apology. The reference group included all party representation from the References Committee which had written the report as well as parents and adoptees. Australian witnesses told members that the apology was generally well received and accepted.

In addition to the apology, Australia's Commonwealth Government also invested in counselling and support services for individuals affected by forced adoption practices. As stated earlier, few professionals have the proper training to offer counselling to these individuals and when appropriate therapy is available, it may be financially difficult to access. As such, the Australian government response included resources for the Australian Psychological Association to develop training for psychologists appropriate for adoptees and the mothers whose babies were taken. As well, the response offered resources for link-up services to help mothers and adoptees find each other. However, the committee was told that the response has not completely satisfied all the recommendations made in the References Committee's 2012 report, such as full and universal access to adoption records and original birth certificates, access to counselling and support services in the long term, ongoing funding for link-up services, and access to DNA testing. It was explained that, as in Canada, jurisdiction over these matters is not federal. However, the federal government continues to work with the Australian states to address the ongoing issues.

> It took a little while for [the apology] to sink in for people because they had been ignored for so long.
>
> *Senator Rachel Siewert, Chair, Community Affairs References Committee (Australia)*

14 *Australian Government response to the Senate Community Affairs References Committee Report: Commonwealth Contribution to Former Forced Adoption Policies and Practices*, 21 March 2013.

15 Parliament of Australia, "*National Apology for Forced Adoptions*," 21 March 2013.

TIME TO HEAL

RECOMMENDATIONS FOR RESPONDING TO POST-WAR FORCED ADOPTIONS IN CANADA

> [Sealing adoption records] reflected the view at the time that public knowledge about an adoptive child's status would undermine their adjustment... and was seen to 'protect' the children from the powerful stigma of illegitimacy.
>
> *Mary Ballantyne, CEO, Ontario Association of Children's Aid Societies*

Committee members were moved by the poignant stories they heard from mothers and adoptees. The secrecy and shame have been their burden to carry every day. Decades have passed since these mothers were forced to surrender their babies, many have passed away and many more are well into their senior years. The babies taken from their mothers in the earlier post-war years are themselves in their 60s and 70s. This committee is concerned that time is running out for many of the surviving mothers and adoptees to be acknowledged as having been wronged.

Members acknowledge that some work has been done in this regard. The maternity homes for unmarried mothers were run in Canada by several churches, including Catholic, United, Anglican, Presbyterian and the Salvation Army. Members heard that only the United Church of Canada has studied its role in the forced adoptions of post-war Canada. Among the witnesses who appeared during the committee's study, the United Church was the only religious organization willing to attend. Members were told that it convened an Adoption Task Group in 2013 after having been contacted by a number of individuals and organizations expressing concerns over the churches' role in post-war forced adoption practices in Canada. The Adoption Task Group reported

on its findings as to the role of the United Church, acknowledged its role and validated the stories of the mothers. The United Church has expressed its regret for the role it played in forcing unmarried mothers to surrender their children for adoption.

The committee was told that while other churches have listened to the concerns of individuals and organizations about the forced adoption practices, they have not reacted with apologies or concrete actions. In this respect the committee acknowledges the written submission from the Salvation Army which describes the services offered by the organization and the adoption policies in Ontario from 1940 to 1980. In describing its role and response to the forced adoptions in post-war Canada, the organization stated that it "regrets the prejudices and harsh attitudes" of the time and that it "never supported the deliberate breaking of... the bond between a mother and a child".[16]

The committee agrees with all the witnesses who appeared during this study who said that apologies are long overdue. These mothers deserve an apology for the treatment to which they were subjected, the effects of the trauma they continue to endure as a result and, most of all, for the loss of their children. Adoptees deserve an apology for having their identities stripped from them at birth and for the discriminatory practices that have made them feel as though they have not been granted the equality rights that are inherent to all other Canadians. Members emphasize, however, that an apology must be comprehensive and accompanied by action. They point to the work done by the Australian Senate committee that made recommendations in this regard. That report stated that all apologies should satisfy the five criteria for formal apologies as set out in a report prepared for the Canadian Law Commission.[17] Specifically, an apology should acknowledge the wrong, accept responsibility, express regret, assure that the wrongdoing will not recur and provide some reparation through action.[18] This approach reinforces testimony heard during this study that an apology without action to reinforce it is an empty apology. Members also applaud the response of the Australian government to the Australian Senate committee report. In preparation for issuing a national apology, the Australian government created a stakeholder group to advise on the wording, timing and delivery of the apology.

A national apology is needed for the post-war adoptions forced on unmarried Canadian women and for the children they lost. Time is running out for many of these Canadians.

16 Senate, Standing Committee on Social Affairs, Science and Technology, Submission by the Salvation Army, 21 March 2018, p. 11 (see list of submitted briefs in the appendix).

17 Australia, the Senate, "*Commonwealth Contribution to Former Forced Adoption Policies and Practices*," Commonwealth of Australia, 29 February 2012, p. 197.

18 Susan Alter, "*Apologising for Serious Wrongdoing: Social, Psychological and Legal Considerations*," Law Commission of Canada, 1999, p.14.

The committee therefore recommends:

RECOMMENDATION 1

That the Government of Canada issue a formal apology on behalf of all Canadians to the mothers and their children who were subjected to forced adoption practices in the years following World War II. The apology must:

- be informed by the work of an advisory group established to provide direction on the content of the apology;
- fulfill five criteria: acknowledge the wrongdoing, accept responsibility, express regret, provide assurance that this practice will not occur again and provide reparation through action; and,
- be delivered in Parliament within one year of the tabling of this report.

RECOMMENDATION 2

That membership of the advisory group established under recommendation 1 includes, but not be limited to, mothers, adoptees and members of reunification organizations.

RECOMMENDATION 3

That the reparations described in the national apology called for in recommendation 1 include, but not be limited to:

- collaboration between the Government of Canada and its provincial and territorial counterparts to create a fund to support training programs for professional counsellors that is appropriate to the needs of individuals affected by past adoption practices and the provision of counselling services by those professionals to mothers and adoptees affected by forced adoption practices at no cost to them;
- a public awareness campaign that acknowledges and describes the forced adoption practices that were imposed on unmarried mothers in the decades following World War II;
- an online platform for mothers and adoptees to share their personal stories; and,
- a commitment to highlight the issue of access to adoption files by parents and adoptees with provincial and territorial governments.

RECOMMENDATION 4

That the Government of Canada, in collaboration with its provincial and territorial counterparts:

- initiate a discussion on the status of provincial legislation governing adoption files, in particular whether parents and adoptees have the right to access those files;
- develop a consensus position on a uniform policy in regard to accessibility of adoption files across Canada that acknowledges a person's right to know their identity;
- develop and issue a joint statement calling on the religious organizations that ran the maternity homes for unmarried mothers to examine their roles during the post-war years, acknowledge the harm that resulted from their actions and accept responsibility; and,
- work with child welfare organizations in all jurisdictions to examine their roles in the forced adoption practices with a view to issuing apologies at the provincial and territorial level comprised of the five criteria recommended for the national apology.

Keeping secrets or blocking access to information harms children, families and communities. We grieve with all of those adopted children and families who have been harmed by unethical adoption, who have been denied access to the truth, and who have been cut off from family and community due to adoption.

Reverend Daniel Hayward, United Church of Canada

CONCLUSION

The committee is appalled at the unethical treatment to which many unmarried mothers were subjected in the years following World War II. Regardless of the societal pressures or social norms of the day, cruelty has never been an acceptable part of Canadian society. The harm done to these mothers is irreparable but Canada owes them every chance to live the rest of their days as free from trauma and torment as possible. The children who were taken from these mothers have also been treated with less regard than is afforded to most Canadians. They, too, have been forced to live their lives with secrets and lies that were forced on them.

If no action is taken, the legacy of the forced adoptions that occurred in post-war Canada will be hundreds of thousands of shattered and unfulfilled lives. Like Australia, Canada must take steps immediately to try to atone for the harm to some of those lives, to relieve some of the suffering, and to let these individuals know that their stories have been heard and that we are sorry for what they have lived through.

APPENDIX 1:
LIST OF WITNESSES

Tuesday, March 20, 2018	
Origins Canada	Valerie Andrews, Executive Director Sandra Jarvie, Mother Eugenia Powell, Mother
Parent Finders	Monica Byrne, Director and mother
Adoption, Support, Kinship (ASK)	Wendy Rowney, President
Wednesday, March 21, 2018	
As individuals	Senator Rachel Siewert, Chair, Community Affairs Reference Committee for the Forced Adoption Inquiry, Senate of Australia Daryl Higgins, Professor, Director, Institute of Child Protection Studies, Australian Catholic University Veronica Strong-Boag, Historian and Historical Consultant, Professor Emerita, University of British Columbia
Thursday, March 22, 2018	
Mouvement Retrouvailles	Caroline Fortin, President and Provincial Coordinator
Ontario Association of Children's Aid Societies	Mary Ballantyne, Chief Executive Officer
United Church of Canada	Reverend Daniel Hayward, Representative
As an individual	Diane Poitras, adopted person, Member, Mouvement Retrouvailles

APPENDIX 2:
BRIEFS

- Daryl Higgins
- Mouvement Retrouvailles
- Origins Canada
- Diane Poitras
- Salvation Army

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